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**REMARKS**

Applicant has amended claims 1, 11, 18, and 21 to indicate that the present invention provides to a customer continuous updates to product information that is currently displayed at the customer's computer. The product information that is displayed initially and then updated is obtained by using the same search parameters to select from a database initial product information as well as updates to the product information. As a result, the customer is not required to submit the same search request multiple times in order to obtain the most current product information from multiple merchants. Support for the claim amendments may be found in the following passages of the specification:

- Pg. 3, ll. 17-19: value added software is provided at the network to assimilate the data collected from various and multiple merchants in real time, to place the data in an understandable format for preferably a single presentation to the user
- Pg. 3, ll. 21-22: a program at the user's computer can capture the formatted data supplied by the network and prepare it for display or analysis
- P. 4, ll. 6-9: the present invention offers the capability to a user of acquiring various merchants' product/service information in one understandable format
- P. 5, ll. 11-16: The network computers are preferably equipped with a software program 24 designed to receive the data collected from the various merchants, put it in a usable protocol and organize it for each user so that all of the product/service information requested by a user is contained in one on-screen presentation. The software of the present invention can quickly

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generate a new product/service presentation as the data changes from the merchants in real time.

P. 9, II.7-17: The network host then processes the information into a usable protocol that enables the user interface management software to provide the data to the user in an appropriate presentation. The user's computer then receives the processed information from the network host and displays the information for the user in real time. Optionally, the user may request real time updates of the requested information. Then, the information on the user's computer is continuously updated as the information received from the merchants by the network host is updated. The result is that the user has access in a readily understandable format, on a single display screen, all requested information regarding [a product] in real time.

Claim 1 has further been amended to indicate that updates to displayed product information are transmitted to the customer computer when the network computer determines that a merchant computer has transmitted updates to the product information database. Similar claim language was added to independent claims 11, 18, and 21 in a prior amendment.

**Comments under 35 U.S.C. § 103(a)**

The independent claims of the present application have been rejected under 35 U.S.C. § 103(a) based on the Suzuki (U.S. Pat. 5,715,448), Shavit (U.S. Pat. 4,799,156), King (U.S. Pat. 5,319,542), and Hill (U.S. Pat. 5,319,542) references. Additional

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references have been relied upon to reject the dependent claims. The independent claims have been rejected on combinations of the references as follows:

Claim 1: Suzuki, Shavit, and King

Claims 11, 18, and 21: Suzuki, Shavit, King, and Hill

In prior office actions, selected elements of the Suzuki, Shavit, and King references have been cited and combined to reject the claims. In the present office action, the Hill reference has been combined with the references cited previously to reject claims 11, 18, and 21. Claims 1, 11, 18, and 21 have been amended to indicate that the present invention provides to a customer continuous updates to product information that is currently displayed at the customer's computer. Claim 1 has further been amended to indicate that updates to displayed product information are transmitted to the customer computer when the network computer determines that a merchant computer has transmitted updates to the product information database. In view of Applicant's amended claims, Applicant respectfully traverses the rejections.

In prior responses, Applicant has argued that the Suzuki, Shavit, and King passages cited in the office action do not provide the suggested teachings, and therefore, cannot be combined to reject the claims. Although each of the references describe an exchange of information between computers, each of the references teach away from the present invention with respect to updating product information in a database and providing computer users with access to the most current product information available from multiple computer sources. None of the references teach updates to a product information

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database and transmission of the database updates to a customer computer as described in the present application.

In the present office action, the Shavit reference is relied upon to teach transmitting continuous updates to assimilated product information. Specifically, the office action states that Shavit's teachings related to flagging events and transmitting to a subscriber computer alerts related to flagged events is the same as continuous updates to assimilated product information responsive to a search request. Claims 1, 11, 18, and 21 have been amended to indicate that the product information that is displayed on the customer's computer is updated with new information from merchant computers. Applicant respectfully submits that the passages cited in the office action and the teachings of Shavit with respect to an alert feature do not support the rejection of the amended claims which indicate product information displayed on the customer's computer is updated. Shavit teaches in Col 7, ll. 49-53 that an alert feature based on flagged events causes a message to be "displayed on the status line of the remote terminal along with an audio indication." Applicant respectfully submits that an alert message displayed on a status line of a terminal that relates to a particular flagged event is not the same as continuous updates to assimilated product information displayed at a customer computer as claimed. The Shavit reference does not teach or even suggest the claimed element and therefore, cannot be combined with the Suzuki and King references to support the present rejections.

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With respect to claims 11, 18, and 21, the office action states that the Suzuki, Shavit, and King references fail to disclose determining whether updates to product information from a first or second merchant computer have been received at a network host computer and stored in database. The office action cites two passages to support the argument that the Hill reference teaches determining whether updates have been received. The first passage states,

The method further includes the step of transmitting variable data related to the selected product from the main computer to the remote computer, and integrating constant data stored in the memory of the remote computer associated with the selected product with the variable data received from the main computer to provide product information related to the selected product including both constant and variable data.

U.S. Pat. 5,528,490, Col. 3, ll. 23-34.

The second passage states,

The constant data updating step illustratively includes the steps of determining updated portions of the constant, data stored in the main computer that are different than the constant data stored in the remote computer, transmitting the updated portions of the constant data stored in the main computer from the main computer to the remote computer, and replacing portions of the constant data stored on the remote computer with the updated portions of constant data received from the main computer.

U.S. Pat. 5,528,490, Col. 3, line 63 to Col. 4, line 5.

Hill teaches determining whether data at two computers is different and then transmitting data from one computer to the other if differences are detected. In other words, Hill teaches synchronizing data at two computers. A revision status is maintained at a main computer and a remote computer and then compared to

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determine whether data at the remote computer is outdated with respect to data at the main computer. If the remote computer revision status is older than the main computer revision status, data from the main computer is transmitted to the remote computer. The comparison of the revision status and the transmission of data from the main computer to the remote computer occurs only when the remote computer establishes a connection to the main computer. A connection from the remote computer to the main computer is established only when a user of the remote computer "selects a product" from a catalog stored at the remote computer. The connection occurs automatically when the user selects a product.

Applicant respectfully submits that determining updated portions of data at a main computer that are different than data stored at a remote computer is not the same as determining whether new or updated data has been received at a computer. In the present invention, communications between the customer computer and host computer and between the host computer and merchant computers do not occur in the manner taught by Hill. In the present invention, product data from merchant computers is received and stored at a network host computer. The merchant computers update the product data periodically by transmitting additional data. There are no data comparisons between the host and merchant computers that are performed as taught by Hill. Furthermore, data transmissions do not occur only when differences between data at the host and merchant computers are detected as taught by Hill. Instead, data

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is transmitted periodically from the merchant computers to the host computer using various types of network connections described in the patent specification.

The customer's computer communicates with the host computer by submitting a search request and a request for continuous updates to data responsive to the search request. When the host computer determines that new data from a merchant computer has been received, it locates data relevant to a customer's search parameters and forwards the new data to the customer's computer for display with the product information already presented. There are no data comparisons between the customer and host computers that are performed as taught by Hill. Furthermore, data transmissions do not occur only when differences between data at the customer and host computers are detected as taught by Hill. Using the approach of the present invention, a single search request from a customer computer may be used to retrieve merchant data for an initial product search and for subsequent searches of updated merchant data as it is received at the host computer.

Applicant respectfully submits the Hill reference teaches away from the present invention by disclosing a system and method for "minimizing on-line time." Col. 2, ll. 35-43. Hill notes a number of disadvantages associated with systems that maintain open connections for communications. Hill specifically states,

... [t]he customer does not have the privilege of determining when to log on or when to log off the vendor's computer. The catalog system of the present invention automatically determines when it is necessary to log on to the vendor's computer to retrieve additional data. ... The customer's computer automatically connects itself to vendor's computer and

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automatically requests the needed information only after the desired product has been selected from data on the customer's computer. The customer's computer automatically logs off vendor's computer after the requested data is received.

U.S. Pat. 5,528,490, Col. 2, ll. 44-57.

Applicant respectfully submits that Hill's teachings with respect to minimizing a customer's on-line time are contrary to the present invention which allows a customer to receive continuous updates to product information displayed at the customer computer. Therefore, the Hill reference teaches away from the present invention. Furthermore, Applicant respectfully submits because Hill teaches minimizing a customer's on-line time and synchronizing data between computers only when the user at a remote computer selects a product, it would not be obvious to one of ordinary skill in the art to combine the Hill reference with any reference that teaches frequent exchanges of information between computers. Applicant respectfully submits that because the Hill reference does not provide the teachings asserted in the office action and because the Hill reference teaches away from the present invention, it cannot be combined with the Suzuki, Shavit, and King references to reject amended claims 1, 11, 18, and 21.

### Conclusion

Applicant's invention represents a significant improvement over the prior art because information regarding a variety of products and services may be obtained, and more importantly updated, as updates to the product information are transmitted from



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the merchants' computer to the network database and from the network host computer to the customer's computer. Applicant respectfully submits the amended claims patentably define the present invention.

Respectfully submitted,

By: Carol G. Stovsky  
Carol G. Stovsky  
Reg. No. 42,171  
Attorney for Applicants  
Standley Law Group LLP  
495 Metro Place South, Suite 210  
Dublin, Ohio 43017  
Tel.: 614-792-5555  
Fax: 614-792-5536  
cstovsky@standleyllp.com

Date: August 16, 2005